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a first insulating layer comprising organic resin formed over said thin film transistor;
a second insulating layer comprising DLC formed over said first insulating layer;
a third insulating layer comprising organic resin formed over said second insulating
layer;
a pixel electrode formed over said third insulating layer, said pixel electrode
electrically connected to said thin film transistor; and
a light-emitting layer formed over said third insulating layer.

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REMARKS

Applicant would like to thank the examiner for the consideration given the above-identified application. The Office Action of **May 23, 2001**, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for a One (1) Month Extension of Time* that extends the shortened statutory period for response to **September 23, 2001 (Sunday)**. Accordingly, Applicant respectfully submits that this response is timely filed.

Claims 109-132 were pending in the present application prior to the aforementioned amendment. By the above Amendment, claims 109, 113, 115, 17, 121, 125, 127 and 129 have been amended to more clearly recite subject matter to which Applicant is already entitled. Applicant submits that no issue of new matter has been set forth by this Amendment. Accordingly, claims 109-132 are still pending in the subject application and are believed to be in condition for allowance at least for the reasons advanced hereinbelow.

Initially, the Office Action objects to the drawings for allegedly failing to show every feature of the invention specified in the claims. In response thereto, Applicants file concurrently herewith a *Request for Approval of Drawing Change* to properly illustrate in Fig. 1 the feature of the light-emitting layer. Applicant submits that no issue of new matter is presented by this change. With respect to the feature of the pixel electrode, the

specification teaches that "the present invention can also be used for a flat panel display instead of using a liquid crystal. For instance, in an EL display, the claimed invention has applicability when an under layer of a light-emitting layer is flattened. Applicant contends that it would have been obvious to one of ordinary skill in the art to dispose the light-emitting layer in the EL display as illustrated in the drawing change to Fig. 1, and thus, no change is necessary to illustrate this feature. Accordingly, reconsideration and withdrawal of the objection is earnestly solicited.

The Office Action rejects claims 109-132 under 35 U.S.C. §112, second paragraph as allegedly indefinite. In response thereto, claims 109, 113, 115, 17, 121, 125, 127 and 129 have been amended to more clearly recite the structure of the claimed invention. More particularly, in each independent claim, the recitation "having an active matrix circuit and a driving circuit" has been deleted and a feature directed to the pixel electrode and its structural interconnection to the TFT is provided. Accordingly, reconsideration and withdrawal of the rejection is respectfully solicited.

The Office Action rejects claims 109-132 under 35 U.S.C. §103(a) as obvious over *Hamada* (U.S. Patent No. 6,114,715), claims 1, 6, 8-10, 15, 16, 18, 22, 23, 26, 31, 33, 34, 36, 41, 42, 45, 49, 50, 53, 58, 60-62. In order to obviate the above-noted rejection and to perfect foreign priority under 35 U.S.C. § 119 for the subject application, Applicant files concurrently herewith a *Verified English Translation* of Japanese Application Serial No. 9-092935. Accordingly, the subject application has an effective filing date of March 26, 1997, which predates the filing date of the *Hamada* patent (November 28, 1997). Consequently, the *Hamada* patent is inapplicable as prior art against the claimed invention. Applicant respectfully requests withdrawal of the respective prior art rejections based upon the *Hamada* patent.

The Office Action rejects claims 109-132 under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 90-91 and 97 of U.S. Patent

No. 6,115,090 and provisional rejects claims 109-132 under the judicially created doctrine of double patenting as unpatentable over claim 8 of copending U.S. Application Serial No. 09/295,397. Applicant respectfully requests that a formal response to the double patenting rejections be held in abeyance at least until a notice of allowability has been indicated.

Accordingly, Applicant respectfully requests consideration and withdrawal of the pending rejections. If the Examiner believes further discussions with Applicant's representative would be beneficial in this case, he is invited to contact the undersigned.

Respectfully submitted,



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MARKED UP VERSION OF AMENDED CLAIMS

109. (Amended) An EL display device [having an active matrix circuit and a driving circuit, said active matrix circuit] comprising:

at least one thin film transistor formed over a substrate;

a first insulating layer comprising organic resin formed over said thin film transistor;

a second insulating layer comprising DLC formed over said first insulating layer;

[and]

a pixel electrode formed over said second insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed over said second insulating layer.

113. (Amended) An EL display device [having an active matrix circuit and a driving circuit, said active matrix circuit] comprising:

at least one thin film transistor formed over a substrate;

a first insulating layer comprising [organic resin] silicon nitride formed over said thin film transistor;

a second insulating layer comprising [DLC] organic resin formed over said first insulating layer;

a third insulating layer comprising DLC formed over said second insulating layer;

a pixel electrode formed [on said second insulating layer; and] over said third insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed over said [second] third insulating layer.

115. (Amended) An EL display device according to claim 113, wherein said [first] second insulating layer has a planarized surface.

117. (Amended) An EL display device [having an active matrix circuit and a driving circuit, said active matrix circuit] comprising:

at least one thin film transistor formed over a substrate;

a first insulating layer comprising organic resin formed over said thin film transistor;

a second insulating layer comprising DLC formed over said first insulating layer;

[and]

a third insulating layer comprising organic resin formed over said second insulating layer;

a pixel electrode formed over said third insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed [adjacent to said second] over said third insulating layer.

121. (Amended) An EL display device [having an active matrix circuit and a driving circuit, said driving circuit] comprising:

an active matrix region and a driver region formed over a substrate,

wherein said active matrix region comprises:

at least one thin film transistor [formed over a substrate];

a first insulating layer comprising organic resin formed over said thin film transistor;

a second insulating layer comprising DLC formed over said first insulating layer;

[and]

a pixel electrode formed over said second insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed over said second insulating layer.

125. (Amended) An EL display device [having an active matrix circuit and a

driving circuit, said driving circuit] comprising:

an active matrix region and a driver region over a substrate,

wherein said active matrix region comprises:

at least one thin film transistor [formed over a substrate];

a first insulating layer comprising [organic resin] silicon nitride formed over said thin film transistor;

a second insulating layer comprising [DLC] organic resin formed over said first insulating layer;

a third insulating layer comprising DLC formed over said second insulating layer;

a pixel electrode formed [on said second insulating layer; and] over said third insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed over said [second] third insulating layer.

127. (Amended) An EL display device according to claim 125, wherein said [first] second insulating layer has a planarized surface.

129. (Amended) An EL display device [having an active matrix circuit and a driving circuit, said driving circuit] comprising:

an active matrix region and a driver region over a substrate,

wherein said active matrix region comprises:

at least one thin film transistor [formed over a substrate];

a first insulating layer comprising organic resin formed over said thin film transistor;

a second insulating layer comprising DLC formed over said first insulating layer;

[and]

a third insulating layer comprising organic resin formed over said second insulating layer;

a pixel electrode formed over said third insulating layer, said pixel electrode electrically connected to said thin film transistor; and

a light-emitting layer formed [adjacent to said second] over said third insulating layer.